

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CIVIL ACTION NO. 3:14CV596 (MOC-DSC)

MICHAEL RICH,

Plaintiff,

vs.

THE ESTATE OF ROBERT BROWN,
through its administrator, KEVIN BROWN,

Defendant.

ORDER

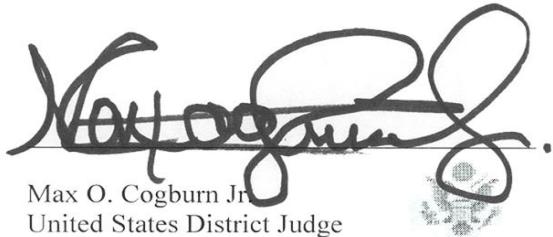
THIS MATTER is before the Court on the Joint Stipulation of Dismissal and Joint Motion to Disburse Funds (#32) and a Joint Motion for Disbursement of Funds (#33). The court has considered the joint Motion for Disbursal of Funds first and then considered the joint Stipulation of Dismissal as being filed only after the first motion is resolved. Upon consideration of such motions, the court enters the following Order.

ORDER

IT IS, THEREFORE, ORDERED that the joint Motion to Disburse Funds (#33) and contained in (#32) is **GRANTED**, and the Clerk of Court shall issue from funds interpledged and deposited with the court:

- (1) a check in the amount of fifteen thousand dollars (\$15,000.00) payable to the Estate of Robert Brown, mailed to such defendant's attorney Ted. F. Mitchell;
- (2) a check in the amount of one-hundred five thousand nine-hundred ninety-four dollars and 26/100 (\$105,994.26) payable to the "Trust Account of DeVore, Acton & Stafford, P.A. for the benefit of MICHAEL RICH," and mailed to such plaintiff's attorney Derek P. Adler.

IT IS FURTHER ORDERED that the joint Stipulation of Dismissal (#32), which the court deems to be a joint Motion for Dismissal based upon stipulation of the parties under Rule 41, is **GRANTED** and this action is **DISMISSED** with prejudice pursuant to the terms stated in the joint Stipulation of Dismissal, which is incorporated by reference.

A handwritten signature in black ink, appearing to read "Max O. Cogburn Jr.", is written over a solid horizontal line. To the right of the signature is a small, faint, circular official seal or stamp.

Max O. Cogburn Jr.
United States District Judge